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Report of the Secretary-General on the activities of the Office of Internal Oversight Services

Investigation into sexual exploitation of refugees by aid workers in West Africa

Note by the Secretary-General*

1. Pursuant to General Assembly resolutions 48/218 B of 29 July 1994 and 54/244 of 23 December 1999, the Secretary-General has the honour to transmit, for the attention of the General Assembly, the attached report, conveyed to him by the Under-Secretary-General for Internal Oversight Services, on the investigation into allegations of sexual exploitation of refugees by aid workers in West Africa.

2. The Secretary-General takes note of the findings of the report and concurs fully with its recommendations. The Secretary-General also notes that measures are being taken or initiated to correct many of the issues raised in this report.

3. Sexual exploitation and abuse by humanitarian staff cannot be tolerated. It violates everything the United Nations stands for. Men, women and children displaced by conflict or other disasters are among the most vulnerable people on earth. They look to the United Nations and its humanitarian partners for shelter and protection. Anyone employed by or affiliated with the United Nations who breaks that sacred trust must be held accountable and, when the circumstances so warrant, prosecuted.

4. Since the allegations first arose of sexual abuse and exploitation by humanitarian aid workers and peacekeepers in West Africa, the United Nations has been determined to act firmly and quickly. Improved systems for recourse, investigation and discipline are being instituted. Under the auspices of the Inter-Agency Standing Committee, which brings together United Nations relief agencies, other international organizations and non-governmental organizations, the humanitarian community has identified standards of behaviour applicable to all its personnel and is implementing a newly adopted Plan of Action (see annex I) to

* The report could not be submitted prior to the deadline of 2 July because the investigation had not yet been concluded.

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strengthen mechanisms for protecting those who depend on international aid. The Secretary-General welcomes these steps and reaffirms his commitment to working closely with all involved to ensure full and speedy action wherever necessary.

5. Although the genesis of this report was in West Africa, the United Nations is addressing the issue on a global basis. Wherever the United Nations and its partners are at work, they must shoulder their responsibilities for implementing the necessary management and operational changes, and remain ever vigilant to ensure that such appalling acts are not permitted to occur again.

Report of the Office of Internal Oversight Services on the investigation into sexual exploitation of refugees by aid workers in West Africa

Summary

Late in November 2001, the Office of Internal Oversight Services (OIOS) was asked by the Office of the United Nations High Commissioner for Refugees (UNHCR) to review allegations of sexual exploitation of female refugees by international and national aid workers, specifically regarding United Nations and non-governmental organization (NGO) staff and peacekeepers in three West African countries: Guinea, Liberia and Sierra Leone. The allegation of widespread sexual exploitation arose from a report by two consultants who had been commissioned by UNHCR and Save the Children (UK) to study the question of sexual exploitation and violence in the refugee communities in the three countries.

Following a series of meetings in December 2001/January 2002, UNHCR requested that the Investigations Division of OIOS conduct an investigation to ascertain inter alia whether the allegations against aid workers and peacekeepers could be legally substantiated and if the problem was widespread, as alleged, what the contributing factors were and whether evidence of criminal and/or administrative misconduct could be obtained.

It was agreed with UNHCR that, for the purpose of the investigation, the definition of sexual exploitation would be concerned primarily with situations in which an international NGO, humanitarian or aid worker, in a position of power, uses that power to request sexual favours or benefits by trading food or services that refugees are entitled to receive free of charge via the distribution system of international aid. It was determined that the applicable legal framework to deal with cases of sexual exploitation would be contained within the following texts: the Convention on the Rights of the Child, of 1989; the African Charter on the Rights and Welfare of the Child, of 1999; the penal laws of the three countries and the codes of conduct of international organizations and NGOs.

OIOS assembled a carefully composed investigation team from eight countries, comprising professional investigators, lawyers, refugee protection and human rights specialists, translators and a paediatric trauma specialist. The Investigation Team commenced operations in February 2002 and completed its work in July 2002. The investigation was conducted in three phases, the first being an assessment of the scope of the problem. The second phase consisted of an evidence search aimed at determining whether what was reported in the consultants' assessment could be verified. The third phase concentrated on seeking fresh evidence, witnesses and victims, which led to the development of new cases of sexual exploitation for investigation.

Although the stories reported by the consultants could not be verified, the problem of sexual exploitation of refugees is real. Extensive interviews of many potential witnesses, victims and others thought to have relevant information enabled the Investigation Team to identify new cases of sexual exploitation, ranging from consensual relationships that occurred as a result of the exploiter's position of power to allegations of sodomy and rape of refugees.

While the consultants claimed that sexual exploitation was widespread, their report only gave a few vague or dated examples of uncorroborated incidents of sexual exploitation and also included a variety of reports of sexual exploitation involving local persons and internally displaced persons, commercial sex, and war-related incidents. The Investigation Team sought to confirm the validity of the most serious allegations but was hampered by the lack of information on sources and victims. Of the 12 cases from the consultants' report which the Team fully investigated, none was substantiated even after extensive interviews of refugees, UNHCR staff and NGO employees. The Investigation Team identified and fully investigated 43 cases of possible sexual exploitation. Of these, 10 cases were substantiated by the evidence. One involved a United Nations Volunteer working with UNHCR. His case has been referred to the appropriate agency and action has been taken. Another involved a peacekeeper who has been repatriated. The other cases involved NGO personnel and their cases have been referred to the relevant organizations. It is noteworthy that no allegation against any United Nations staff member could be substantiated. These cases are described in greater detail in this report.

This report also contains observations as to the factors which contribute to sexual exploitation in refugee communities, including aspects of refugee camp life, camp structure, camp security, food and services distribution, employment opportunities, profiles of camp workers and quality and quantities of food and other relief items distributed. For example, it was observed that few international staff members of UNHCR or its implementing partners are present in the camps, allowing the actual day-to-day management of the camp to be left to national staff and the refugees themselves.

The consultants' report of widespread sexual exploitation of refugees has not been confirmed, in the cases which OIOS was able to substantiate, by sufficient evidence for either criminal or disciplinary proceedings. However, the conditions in the camps and in refugee communities in the three countries in question make refugees vulnerable to sexual and other forms of exploitation and such vulnerability increases if one is a female and young. This report contains 17 recommendations, including recommendations for follow-up on cases with the organizations which have been provided with evidence that one or more of their employees have been using their position for exploitative purposes.

Comments on this report were sought from UNHCR, the Department of Peacekeeping Operations and the United Nations Mission in Sierra Leone, UNICEF and the Office for the Coordination of Humanitarian Affairs (co-chairs of the Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises) as well as the World Food Programme. Their comments are included in italics in the text of the report and in the two annexes.

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I. Introduction

1. Late in November 2001, the Inspector General of the Office of the United Nations High Commissioner for Refugees (UNHCR) advised the Director of the Investigations Division of the Office of Internal Oversight Services (OIOS) of information received indicating that sexual exploitation of refugee women and girls by humanitarian aid workers and United Nations peacekeepers might be occurring in West Africa.

2. The information was contained in a preliminary report written by consultants retained by UNHCR and Save the Children UK for a separate study in the West Africa region. Following that notification, it was agreed that a meeting should be held on the issue with a view to obtaining full details from the consultants. In December 2001/January 2002, several meetings were held, involving the consultants and the relevant officers of UNHCR, the World Food Programme (WFP) and OIOS. It was agreed that prior to an investigation there was an urgent need for UNHCR to put in place additional safeguards to protect refugee women and girls and to provide further means for them to report any incidents. Once those safeguards were operational to protect victims and witnesses, OIOS would launch an investigation to determine whether there was evidence of criminal conduct or administrative misconduct by humanitarian aid workers or peacekeepers, whether the problem was widespread or incidental and what the contributing factors were. Originally, the lead consultant, from Save the Children UK, had agreed to assist the OIOS team, but she was unable to do so for personal reasons. The second consultant, from UNHCR, subsequently provided some assistance in Guinea.

3. In February 2002, the investigation led by OIOS began in West Africa, specifically in the three countries which had been visited late in 2001 by the consultants — Guinea, Liberia and Sierra Leone (the Mano River Union countries) — and field work was completed in July 2002. This is the report of that investigation.

II. Methodology

4. Because of the risks to refugee women and girls who might have been subject to sexual exploitation, UNHCR reinforced and upgraded protection mechanisms in each camp prior to the start of the investigation to ensure that both during and after the investigation, there would be appropriate protection and support systems for any victims identified. Furthermore, OIOS decided to use code numbers rather than names to identify potential victims and key witnesses as an additional measure of protection. It is important to note that no reward or incentive was offered to any of the refugee witnesses in exchange for providing information or assistance to the investigation.

5. The Investigation Team assembled by OIOS in consultation with UNHCR was carefully composed of professional investigators, lawyers, refugee protection and human rights specialists, translators and a paediatric trauma specialist, who are nationals of eight countries: Australia, Burkina Faso, Ghana, India, Japan, Kenya, the United Kingdom of Great Britain and Northern Ireland and the United States of America. Further, owing to the sensitive nature of the issue, female investigators and translators were utilized to the extent possible for interviews with female refugees.

6. The Investigation Team worked on the ground in Guinea and Sierra Leone but only to a limited extent in Liberia because of the movement of refugees and the security situation in that country. Meetings were held with stakeholders in the United Nations system and with the concerned NGOs, including with the local staff of both UNHCR and the NGOs in all three countries. Nearly 300 individual interviews were conducted of refugees, aid workers and peacekeepers in those countries and careful observations of camp activity were made.

7. It was appreciated from the outset that witnesses might be reluctant to speak about sexual exploitation and other related matters out of fear of reprisal or stigmatization, or for cultural and social reasons. All witnesses were therefore assured of the protection of their identity and the confidentiality of the information provided. In addition to interviews at the refugee camps, interviews were conducted with repatriated refugees at several transit camps from which a significant number of cases were developed for investigation. The Investigation Team observed that some refugees were more willing to provide information outside the refugee camp environment, owing to fear of possible retaliation in the camps.

III. Definitions

8. Laws of the three countries were carefully researched, as were the rules, regulations, guidelines, codes and practices governing aid workers.

9. Article 1 of the Convention on the Rights of the Child, of 1989, defines a child as every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier. The same definition is used in article 2 of the African Charter on the Rights and Welfare of the Child, of 1999. In view of their vulnerability to sexual exploitation and the seriousness of cases involving them, the focus of the investigation was mainly on female refugees under 18 years of age as defined in various international statutes, who were allegedly denied aid (or other benefits to which they might be entitled) for refusing to enter into a sexual relationship with an aid worker. The Investigation Team also looked into those cases where an aid worker allegedly used aid as a tool to lure a refugee girl into a sexual relationship.

10. Aid workers include refugees hired by NGOs or the United Nations as well as national and international staff of NGOs and United Nations agencies employed in any capacity, including daily labour.

11. It was observed during the investigation and confirmed in interviews with refugees that many relationships develop between refugees and aid workers who themselves are refugees. Such relationships are entered into for a variety of reasons, including the situation where a female refugee does so in the expectation or hope that she may be rewarded with additional goods and services beyond what she would normally be entitled to receive. This is not to suggest that a number of these relationships are not genuine and may result in marriages.

12. The Investigation Team discovered that many female refugees engage in relationships because of the abject poverty pervading the refugee camps in which they live. In the absence of skills training and employment, many are compelled to enter into prostitution or other forms of exploitative relationships to augment the inadequate aid provided for their basic needs of food, clothing and shelter.

UNICEF in its comments to OIOS stated that the scope of the investigation should have included other vulnerable groups such as internally displaced persons because relationships entered into by females in these situations could also be deemed exploitative.

OIOS notes that its task was not to establish general exploitation, as that would exceed its mandate, but to determine if those persons in need of protection, specifically refugees, under the protection of UNHCR, were victims of sexual exploitation.

IV. The investigation

13. The Investigation Team took a two-pronged approach: first, to try to establish whether the information obtained as a by-product of another study by the two consultants retained by UNHCR and Save the Children UK could be verified. This was critical as the information provided by the consultants was based on stories related by third parties and had not been verified by them. Second, to conduct independent interviews of refugee women and girls to establish whether sufficient evidence could be adduced to prove cases of sexual exploitation by aid workers and peacekeepers, whether by criminal or administrative proceedings.

A. Verification of the consultants' report

14. The two consultants, together with a Save the Children staff member, had been retained to study sexual exploitation and violence against refugee children in the three Mano River countries. During the several weeks of their work, they met with groups which included refugees, returnees, local populations, internally displaced persons and humanitarian aid workers. In these groups, they heard stories concerning sexual exploitation and prostitution in West Africa generally, and in camps for which UNHCR has responsibility specifically, as well as in camps for internally displaced persons who are not within the mandate of UNHCR. As a result of these stories of exploitative behaviour by humanitarian aid workers and peacekeepers, the consultants made a preliminary report to UNHCR late in November 2001. The leaking to the media in February 2002 of the full draft report, which was presented to UNHCR and Save the Children in January 2002, created a media furore, and thereafter the unconfirmed stories were treated as facts in the media and elsewhere.

15. Thus the first job of the Investigation Team was to ascertain if the stories reported by the consultants could be verified and to identify and record evidence from victims. However, this proved problematic for a variety of reasons: the refugee population is highly mobile; many of the stories involved non-refugee populations; stories were related to war events; or stories were from groups of people vaguely described by the consultants for example as "6-12 year olds", "women leaders", "community leaders", "women's group" and "adolescents". Some examples are given below:

(a) In one camp in Guinea, the Investigation Team reconstructed a group of girls described by the consultants as "girl mothers", allegedly the victims of sexual exploitation. None of those interviewed was in a relationship with an aid worker; those with children informed the Investigation Team that fellow refugees had impregnated them. Indeed, in all three countries refugees, including leadership committees and refugee parents, told the Investigation Team that most pregnancies were the result of relationships between refugees.

(b) The few individual sources named by the consultants were found to be repeating rumours and gossip rather than providing first-hand information. Those named as perpetrators were generally identified by nicknames, initials or names very common in the region. The Investigation Team was however able to trace some of the sources with the assistance of the local translators and names eventually supplied by one of the consultants.

(c) When the Investigation Team interviewed the person who had reported sexual exploitation to the consultants, and she was asked to provide specific examples of such exploitation, she was unable to. She stated that her discussion with the consultants was based on what she called her "psychological assessment", in view of the high incidence of teenage pregnancies observed by her in that particular camp in Guinea.

(d) One widely circulated story reported by the consultants was of 10 girls in Sierra Leone allegedly on their way to meet United Nations peacekeepers who had drowned after a canoe they were travelling in capsized. The peacekeepers were blamed for their deaths. The Investigation Team found that the story was reported by a group of 6 to 12 year old children who related stories of various incidents of drowning victims in different locations. Despite substantial efforts to confirm the report, the Investigation Team found no evidence to support what seems to have become a kind of mythical story of desperation by refugees. An internal investigation of the same incident previously conducted by the United Nations Mission in Sierra Leone (UNAMSIL) arrived at the same conclusion.

(e) Another report of groups of women and girls being photographed in suggestive poses by peacekeepers was also found not to be credible after the Investigation Team interviewed the group of women and girls who were said to have been involved.

(f) Where there were specific allegations against named perpetrators, the Investigation Team found that these were also reported by non-witness third parties. The allegations could not be verified despite efforts to locate the possible victims.

16. Nevertheless, the fact that the consultants heard sexual exploitation stories from groups of unconnected people, spread across three countries, gives some credibility to the issue even if the specific allegations could not be verified. It is also the view of OIOS and UNHCR that the consultants were correct to raise the issue of sexual exploitation. The Investigation Team found that the limited assistance provided, as well as poverty and lack of economic opportunity for women in the camps and elsewhere in the region, are factors that lead to sexual exploitation.

B. Case studies

17. The Investigation Team conducted extensive interviews of refugees, NGO staff and UNHCR staff in an attempt to verify the stories reported by the consultants and to pursue new cases developed by the Investigation Team. From these, the Team was able to identify cases for investigation, including cases from the consultants' report. Most of the cases the Team investigated originated in Guinea. None of the allegations of sexual exploitation reported by the consultants was substantiated, however. The NGO cases have been referred to the relevant NGOs for appropriate follow-up. In a majority of those cases, which could not be fully substantiated, either the victim or the alleged perpetrator could not be traced.

18. OIOS acknowledges the difficulty of obtaining corroborative evidence in the form of eyewitness testimony in cases of sexual exploitation and related offences. Hence not all of the cases investigated could be corroborated. In the substantiated cases, some of the corroborative evidence obtained included medical evidence, injuries consistent with the allegation and evidence of recent complaints by the victims. Some of the cases related to accusations against NGO aid workers, others to the peacekeepers of UNAMSIL and others to United Nations staff, including UNHCR. Medical staff in the camps and UNHCR field staff reported cases of sexual violence such as rape and sexual assault between refugees in which the perpetrator was in a position of physical power rather than a position of power resulting from the authority conferred on him by an NGO or an international organization.

19. All reports of sexual exploitation or misconduct pertaining to NGOs received and investigated by the Team were passed on to the relevant organization through UNHCR so that the circumstances of each case could be reviewed under the particular disciplinary or administrative process of the NGO, as OIOS does not have jurisdiction over NGO staff. One case, in which a United Nations Volunteer was involved, was referred to UNHCR and his services were subsequently terminated by his agency.

20. The cases described below are derived from the independent interviews conducted by the Investigation Team except where there are specific references to the consultants' report. These cases are illustrative of all the cases the Team investigated.

Case 1

(a) A 17-year-old female refugee from Sierra Leone alleged that she was involved in a sexual relationship with a United Nations Volunteer. She stated that she had met him in 1999 when she was approximately 15 years old while he, a man then aged 44 years, was a United Nations Volunteer working with UNHCR in Gueckedou, Guinea. Following the first meeting, the victim and the Volunteer agreed to enter into a sexual relationship.

(b) At the time of the relationship the refugee victim was living with foster parents in that town. The victim stated that the United Nations Volunteer knew her to be a refugee and was aware of her age, which was confirmed by other evidence. She further explained that the he assisted her financially by paying her school fees, enabling her to acquire computing and typing skills. The victim told the investigators that, as result of her sexual relationship with the United Nations Volunteer, she became pregnant. The man then abandoned her, refused to accept paternity or provide any form of support or maintenance for the child.

(c) When confronted with the evidence in the case, the United Nations Volunteer at first attempted to deny the allegation but later admitted that he had had a sexual relationship with the victim. He refused to accept responsibility for the pregnancy, however.

(d) The contract of the United Nations Volunteer has since been terminated as a result of the evidence obtained during the investigation.

Case 2

(a) A 14-year-old refugee girl from Sierra Leone was raped in a refugee camp in Guinea early in 2002. The Investigation Team established that the offenders, a Sierra Leonean refugee and a Guinean NGO staff member, were responsible. In the course of her interview, the victim described in detail how the Guinean NGO offender while on duty in the refugee camp spotted her and requested his friend, the Sierra Leonean, to approach her on his behalf to solicit her for a sexual relationship. She declined the solicitation. Later that day, the Sierra Leonean refugee called to her as she was walking past his hut, saying that he had a message for her. When she paused, he pushed her inside his hut where the NGO offender was waiting. She was restrained and violently raped by the NGO worker.

(b) The victim sustained serious injuries and reported the matter to friends who immediately took her to the health post in the camp for medical attention. She was treated for her injuries and transferred to a local hospital for further medical attention. The physician confirmed to the Investigation Team that he had treated the victim and that, in his professional opinion, the injuries were consistent with rape. The physician added that he had to refer the victim to a hospital in the neighbouring town because of the seriousness of the injuries she sustained. The victim was subsequently able to identify the NGO staff member and the Sierra Leonean refugee to the investigators.

(c) The Sierra Leonean refugee who had facilitated the rape admitted having assisted his friend, the NGO worker. The perpetrator denied the rape allegation but acknowledged that he was present in the refugee camp when the rape allegedly occurred. He further admitted knowing the Sierra Leonean refugee who had abetted him and also identified him to the investigators. In view of the criminal nature of the allegation, the matter has been brought to the attention of UNHCR to refer the case to the local Guinean authorities for prosecution. The matter has also been referred to the NGO that employs the perpetrator for their action.

Case 3

(a) A young returnee boy alleged that a UNAMSIL peacekeeper had sodomized him late in June 2002, in an isolated bush area near the contingent's logistic base. In this case, the boy, who is approximately 14 years of age, was with some friends who are all from a transit centre for returning refugees near the contingent's camp managed by one of the implementing partners of UNHCR. The victim says that, while he was fishing, a non-commissioned officer, whom the victim clearly identified and knew from prior encounters, led him away from where the other boys and soldiers were fishing. As the victim knew and trusted the alleged offender, he complied with the request to follow him.

(b) The two reached a secluded point some 100 metres from their initial fishing spot on the river's embankment. There, the victim stated that the offender grabbed him and forcibly sodomized him. Subsequently, the victim managed to break free from the offender and ran to his friends to report the incident and showed them the money that the offender had given him to keep him quiet.

(c) The victim reported the matter to his mother later the same day and they subsequently reported the assault to the police. As a result of the sexual assault, he felt discomfort and, approximately two days later, was taken to a hospital for medical examination. The physician stated that the description of discomfort by the victim was consistent with sexual assault.

(d) The victim, his mother and other guardians stated that they had not considered reporting the matter to UNAMSIL as they thought it was a normal police case. The police, on receipt of the allegation and the medical report, went to the contingent's camp to attempt to arrest the alleged offender. (The police told the Investigation Team that they had been denied access to the alleged offender when they tried to investigate the allegation.)

(e) Only after OIOS notified UNAMSIL did the Mission's management request that an investigation be conducted by the Chief Provost Marshal in collaboration with the Investigation Team. The peacekeeper was identified by the victim and interviewed. UNAMSIL has since confirmed that the investigation is now concluded and that, as a result of the findings, the officer in question has been repatriated to his country of origin. The details of the allegations and findings were forwarded by UNAMSIL to the concerned country for appropriate action.

Case 4

Claims of sexual exploitation were made directly against two UNHCR staff members in the consultants' report that were both investigated by the Team. In one case, involving a UNHCR Protection Officer, more than 20 interviews were conducted with refugee girls of various ages and with UNHCR staff members in an effort to obtain evidence of the reported exploitation. As no further details other than the claims were available, the allegations could not be substantiated. Similar allegations against a UNHCR driver and a WFP member of staff could not be substantiated. In the case of the UNHCR driver, the victim could not identify the perpetrator, as she had not been in contact with him for several years. The absence of specifics from the consultants regarding possible exploitation by United Nations staff led the Investigation Team to spend many days trying to track vague stories to no avail.

Case 5

The consultants' report noted several cases of NGO officials exploiting refugee girls or living with under-aged refugee girls. In all the cases the Team investigated, the female refugee in question was in fact an adult. In a particular case in Liberia, a female refugee described in the report as a child was actually a 25-year-old woman who had been in a long-term relationship with the NGO aid worker and had been living with him in his apartment when she became pregnant. Although he had agreed to support the child, he had been unable to do so when he was fired.

Case 6

An allegation that a truck driver employed by one of the implementing partners of UNHCR was engaged in sexual exploitation was investigated by the Team and substantiated. The under-aged victim identified the driver from an array of photographs as the person who had impregnated her and abandoned her. The matter has been referred to the employing NGO for appropriate action.

Case 7

In another case investigated, the Investigation Team confirmed that a refugee, who was also an NGO employee, had impregnated a 17-year-old refugee girl. He has since fled to his country of origin and cannot be located.

Case 8

Two cases involving specific NGO staff who allegedly had exchanged sex for food with refugee girls were investigated. The perpetrators could not be identified as the victims were not able to describe the physical appearance of the perpetrators, nor did the girls know their full names, giving only first names that are common in the community. Furthermore, it is unclear if they were regular NGO staff or casual staff from the refugee communities. The matter has been referred to the NGO in question for follow-up.

Case 9

An allegation that a refugee schoolteacher impregnated a 17-year-old disabled refugee girl was investigated and substantiated. The perpetrator initially denied responsibility for the pregnancy but he has since accepted responsibility and is providing financial support for the child.

Case 10

It was alleged that a schoolteacher employed by an NGO had approached a student for a relationship and regularly subjected her to physical abuse when she rejected his advances. The Team investigated the case but was unable to trace the victim to verify the allegations. In any case, the teacher has been dismissed for undisclosed reasons by the NGO.

21. These cases were not the only ones investigated, but they represent the types of case and outcome adduced by the Investigation Team. The evidence did not substantiate any of the cases involving regular United Nations staff members. This finding is consistent with the fact that the vast majority of aid workers in the camps are from NGOs. OIOS cautions against complacency, however, as new cases will arise.

C. Problems in the camps

22. Close examination of the operation of the camps indicates that there are several major problems which could easily lead to exploitation of various kinds, including sexual exploitation:

(a) The Investigation Team found few women in key positions in the camps;

(b) Job opportunities for refugees generally are poor to non-existent and where they do exist, they are primarily taken by men, leaving women very little authority or personal access to funds or power;

(c) While girls make up substantial numbers of students in the lower grades of schools in the camps, there are virtually none in the higher grades, leaving them with limited education, often on their own or tending to small children;

(d) Few international staff of either UNHCR or the implementing partners are in the camps themselves, so that the actual management of the camps is left to local staff and other refugees with only very limited supervision; indeed, the farther the camp is from the UNHCR branch office, the less attention its residents are receiving from international staff;

(e) While many of the humanitarian aid workers the Investigation Team met are highly dedicated staff, working under extremely difficult, exhausting and minimally rewarding circumstances, there are others assigned to work in the camps who are of varying skill levels, commitment and interest in refugees who may engage in sexual exploitation;

(f) Single young women who have lost their supporting family structures in the wars are among those most at risk, and efforts by UNHCR to find foster families for them have met with mixed results.

23. The Investigation Team's observations revealed that the camp environment is a fertile ground for breeding exploitative behaviour.

D. Camp life

24. In general, the refugee camps are managed by implementing partners on behalf of UNHCR, which retains responsibility for refugee protection, coordination and monitoring of assistance in the camps. The refugees themselves organize various committees, with a chairperson and other designated officials. The main camp committee undertakes various roles, including acting as a focal point for the refugees and liasing with NGOs and UNHCR on behalf of the refugees to articulate their needs and concerns. This committee also mediates disputes in the refugee community. Some examples found by the Investigation Team include paternity disputes and claims for child support. The committees are also involved in hiring refugees as casual labourers for NGOs. In terms of recreation, there are social and sports activities organized in the camps for and by the refugees. There is no restriction on the movement of refugees or others at any time of the day or night, either within the camp or exiting and entering the camp.

E. Meeting basic needs

1. Shelter

25. Refugees in the camps visited in Guinea, Liberia and Sierra Leone live in temporary shelters made of mud bricks and poles; normally only one room is provided for a family. Prior to the allocation of individual plots and the provision of shelter material, refugees are housed in communal shelters. It is the responsibility of the refugees to construct their own homes. However, in the case of persons identified as "vulnerable", including single females, the responsible NGO may assist with the construction of the shelter. The NGO staff members, however, are usually male and are often refugees themselves. In some of the camps visited by the Investigation Team, the camp manager is involved as well. Straw is used for bedding — anything more requires money.

2. Sanitary facilities

26. Bathing facilities in a number of the camps consist of one building with one side for men and another side for women. The isolation and lack of separate and distinctly placed facilities, which would increase the cost, has caused the facilities to occasionally be the site of sexual violence. However, since the investigation, the camps in Liberia now have separate facilities.

3. Health

27. Basic medical care is normally provided through implementing partners, whose staff are stretched thin, rarely have time for health education or prevention and lack facilities for more serious cases, which are usually referred to neighbouring public hospitals. The case referral system is quite cumbersome and delays are common; in the case of urban refugees, authorization by the UNHCR physician in the branch office is required. For example, a delay of several days in referring the case of a baby scalded by hot water in Guinea resulted in the baby's death.

28. Although teenage pregnancy is rife in some of the camps visited, there is little or no pre- or post-natal care for mothers and often the father is not identified or, if he is, does not accept responsibility for the child. Babies are the responsibility of the mothers, who must provide for them as best they can. Some baby milk and limited baby supplies are normally provided.

4. Clothing

29. Appropriate clothing is available in very limited quantities and money is required for additional clothing needs. Many teenage girls consequently seek alternative sources of supply for clothing, cosmetics, jewellery and other items.

5. Food

30. Food is a continuing source of frustration and anxiety. The food distributed consists generally of bulgur wheat rather than rice, which is the regional staple, small portions of cooking oil and occasional protein in the form of beans. Meat, fish or other foods need to be purchased. Protein biscuits and other foodstuffs are available in feeding centres for cases of malnutrition. Refugees fleeing the recent fighting in Liberia have been pouring into Guinea by the thousands, and many of them are suffering to some extent from malnutrition. WFP has been flying in emergency supplies, but this is expensive and supplies are limited.

WFP stated that it distributes bulgur to refugees because of the explicit indication of donors that rice would not be provided for distribution because it is

expensive in the region and it might be diverted or traded by the beneficiaries.

WFP further remarked that general food rations distributed by the Programme have had a clear positive impact on the nutritional status of refugees and internally displaced persons in the camps, where malnutrition rates are often lower than those found in the surrounding host communities. The food aid basket, ration levels and overall food and non-food requirements of the regional operation have been approved by all the humanitarian actors in the region. WFP also informed OIOS that it has strengthened its post-distribution monitoring of food in the region through the appointment of seven female food monitors.

31. Distribution of food items is conducted on a monthly or bimonthly basis, with refugees lining up for their rations with their ration cards. Rations are often incomplete and delivery of supplies sometimes delayed, with little or no notice given to the refugees who depend on these supplies for basic survival. When distributions are made, refugees pay close attention to ensure that no one gets more than the entitlement. However, the distributors often have items left over after distribution because some refugees have moved or are out of the camp on that day. While the ration distribution is monitored by several people and records are kept, in each of the camps visited by the Investigation Team it is clear that there is some discretionary power among the men who control the ultimate distribution of any excess rations. Although the food is supplied by WFP and stored in its warehouse, and UNHCR has responsibility for distribution, the actual distribution is undertaken by an NGO, while the transportation of the food is done by another NGO working in close collaboration. Refugee or national casual staff are regularly hired for these purposes.

WFP comments that rations are rarely insufficient but acknowledges that this might occur when there is a break in the pipeline, that is, inadequate pledges from donors or delays in the arrival of the shipments. WFP stated that the regional operation is now enjoying a much higher level of resources and that donor pledges are now covering a very high percentage of the requirements.

In relation to surplus food during distribution, WFP stated that the quantities distributed are closely monitored. To strengthen the control, post-distribution monitoring of food entitlements in refugee camps has been enhanced and an agreement in this regard has been signed by WFP, UNHCR and its implementing partners.

32. The refugees vented their frustration and anger about the quality and the quantity of food in a widely reported riot at one of the camps in Guinea earlier this year, with shouting, threats and stone throwing and the subsequent looting of all the food in the WFP warehouse.

6. Education

33. Most teachers are male, and many are themselves refugees; few women are in the schools and those who are tend not to be teachers, but may serve as a counsellor, librarian or cook. In Liberia, the women's committees in the camps near Monrovia have established morning childcare programmes for toddlers, where they are taught singing, the alphabet and some words. Although those women lack formal training this allows the mothers time to go to training courses themselves or to use that time to find ways of increasing their income. The Investigation Team heard a number of reports that teachers had threatened to withhold passing or good grades unless girls of 14 or 15 years agreed to have sex with them. These stories were difficult to confirm. One girl who talked to the Team was told by her brother to say nothing. In addition, the girls were reluctant to implicate the teachers, who were still in positions of authority and could retaliate.

34. In one case, the Investigation Team established the existence of a relationship between a refugee girl and her teacher, himself a refugee. The girl's mother told the Team that, although the man has other wives and is much older than her daughter, she had to consent to the relationship because of the material benefits accruing from it. The teacher has since returned to his country of origin and the Investigation Team's attempts to locate his whereabouts there have not been successful.

35. The teachers in the camps visited do not sign formal contracts of employment and only receive a stipend for their services. This practice leads to a significant lack of morale and commitment, and a substandard level of service. Refugees are eligible for free education up to the end of primary school,

although even this is threatened by the lack of funds. A limited number of scholarships are available for the lucky few — who are predominantly male.

7. Security

36. Although security in the camps is the responsibility of the Government, the Team received many reports that the security staff were inadequate. There were unverified allegations that they are sometimes responsible for sexual misconduct and had facilitated the escape from custody of men charged with sexual violence. To the extent that the camp has security, it is often organized in a limited way by the refugees themselves. In a number of camps, the Investigation Team did not notice any visible security. In some camps the Team observed uniformed men manning the entrance into the camps. Access to the camps by non-refugees is still possible, however, because of the porous perimeters.

37. Medical staff in the camp reported that crimes such as rape of children are committed in the camps with impunity; the weak and the particularly vulnerable and exposed to such violence. They reported that three to five incidents of rape occur in the camps on some days. UNHCR field staff also reported a high incidence of rape cases. Some cases involving rapes of children aged between 5 and 10 years by adult refugees have been reported to the police for prosecution, but most are settled privately by the parties and some are referred to the sexual and gender-based violence teams run by NGOs in the camps for support and counselling.

8. Refugee employment

38. Non-governmental organizations and UNHCR occasionally hire refugees in the camps for liaison or day jobs. For example, for receipt of food items, day labourers are hired to unload the trucks conveying the food and place it in a warehouse or other location for storage until distribution. Day labour is also used in shelter programmes for the fabrication of the materials for the shelters, including the making of mud and straw bricks and the poles used for support. Other building projects also use day labour but it is almost always the male refugees who are hired.

39. As a result, the ability of a woman or girl to support herself and her children, even with the entitlements provided, is severely limited. Training programmes aimed at women are often unsuccessful because there are no jobs for them to use their skills, or else insufficient funds are available in the community to support their small business attempts.

40. The camp structure is patriarchal, and there are few opportunities for women to find means to support themselves and their children. Young women who have lost their families in war, either through death or separation, are especially vulnerable to sexual violence and exploitation. As they find themselves with no means to protect or support themselves, many resort to prostitution as the only available avenue for survival.

41. In summary, the situation of refugees in the camps — indeed the situation of refugees and internally displaced persons generally — is ripe for sexual violence and exploitation by other refugees, aid workers, and nationals they meet outside the camp environs, as sex is the only service left to trade with.

V. Conclusion

42. The Investigation Team established that the consultants had raised an important issue and thereby provoked a heightened sense of awareness in the international community of the potential for sexual exploitation of victims of forced displacement by those who are supposed to palliate their suffering. The Investigation Team found, however, that the impression given in the consultants' report that sexual exploitation by aid workers, in particular sex for services, was widespread is misleading and untrue. None of the specific stories cited against aid workers named in the consultants' report could be confirmed despite a six-month-long effort by the Investigation Team — for reasons previously cited in this report. Furthermore, refugees and aid workers interviewed in the course of the investigation were unanimous in stating that sexual exploitation in the context used in the consultants' report is not widespread. The relationships perceived as exploitative by the consultants were in most cases relationships between refugees.

43. Further, in raising the issue of sexual exploitation, the consultants did not distinguish between the various forms of sexual relationships and contacts that can exist. For example, no distinction was made between cases involving persons in power or authority taking advantage of female refugees and those involving adult prostitution.

44. In addition, many people interviewed by the consultants are not refugees falling within the purview of the UNHCR mandate. Some are local street children while others are internally displaced persons. This investigation was conducted in relation to refugees and aid workers only as provided by the mandate of OIOS. OIOS recognizes, however, that sexual exploitation of vulnerable population occurs and not just in West Africa but throughout the world.

UNHCR has acknowledged that the original consultants' report contains wrong and misleading information in its reference to persons of concern to UNHCR. It incorrectly includes internally displaced persons and host communities as persons of concern to UNHCR in the subregion by referring to them all as refugees. UNHCR added that the status of a person in relation to UNHCR is crucial to determining whether the person is entitled to UNHCR assistance.

UNICEF has expressed its concern that the focus of the investigation was female refugees under the age of 18 excluding other vulnerable persons like internally displaced persons, women over the age of 18 and those not directly benefiting from international aid programmes like street children.

The Office for the Coordination of Humanitarian Affairs also commented that many of the risks and vulnerabilities highlighted in the report apply equally to internally displaced persons, host community situations, camps and settlements as well as refugees. The Office for the Coordination of Humanitarian Affairs expressed the view that these broader problems need to be further addressed on behalf of the humanitarian community.

45. Another point of note was that the consultants did not seem to distinguish between cases of sexual exploitation arising from positions of power in the aid community and war-related sex crimes such as rape. Refugee women and girls told the Investigation Team that many of them, or members of their families, had been victims of rape during the war or victimized by other refugees.

46. By reporting, with little or no evidence, that sexual exploitation is widespread, the consultants unfairly tarnished the reputation and credibility of the large majority of aid workers, national and international staff of United Nations agencies and NGOs and United Nations peacekeepers in West Africa. This is very unfortunate as most of them work in extremely difficult conditions and demanding circumstances, and their continuing commitment and efforts are vital to the humanitarian operations in West Africa.

47. The Investigation Team found, however, that early detection of problems in this area could be improved. It was observed that, when a case is brought to the attention of management in UNHCR, the Department of Peacekeeping Operations, or other international agencies or NGOs, management tends to act relatively quickly in an attempt to discover what actually happened. In some cases the first report did not come to the organization concerned but went to the local police or other body set up to deal with gender-based and/or family violence. The organization which first receives the report may attend to other priorities before disseminating the report to other functional and/or organizational entities, which need to be involved as early as possible. In this regard, clear lines of reporting for all organizations which need early notification, whether they are responsible for the victim or the perpetrator, have not been well established.

48. Many persons spoken to by the Investigation Team held the view that prostitution is a matter of survival and that there is little that can be done about members of the international community, including private contractors, being involved in it. They also consider that it is a private matter in which management should not interfere. This view is inappropriate and ignores the inherently unequal status of the persons involved, especially when United Nations or NGO staff members are implicated.

49. The Team found that there was no encouragement for staff or other persons to report ethical issues to management, nor for that matter is there a particular office or person with whom this type of problem can be discussed. However, there is some evidence that this is changing with the corrective measures being implemented by the UNHCR country offices and their partners. In the case of the peacekeeping mission in Sierra Leone, the Office of the Special Representative of the Secretary-General has instituted a Personal Conduct Committee to look into cases of misconduct, including sexual exploitation, involving the civilian and military personnel of UNAMSIL.

UNAMSIL confirms that the Committee was formally constituted in August 2002 to replace the previous misconduct committee. Its terms of reference include

receiving allegations of misconduct by Mission personnel and recommending investigation by the appropriate Mission authorities of all allegations of misconduct, sexual exploitation or abuse against women and children by UNAMSIL personnel.

OIOS notes that the reporting relationship between UNAMSIL headquarters and field operations produced only one allegation of sexual exploitation. With 17,500 soldiers, 14,000 in the field, this seems more indicative of a poor reporting system than of a lack of cases.

50. The Investigation Team observed that in some cases NGOs did not have codes of conduct. Even where they do exist, they are not well known to their staff, do not seem to be routinely adhered to and may not include conduct involving sexual exploitation.

51. OIOS wishes to acknowledge the support and assistance received by the Investigation Team from UNAMSIL management, the various NGOs and UNHCR staff at headquarters, regional offices, branch offices and the field offices in the countries visited. The efforts now being taken to improve reporting and detecting of cases are noted, but more needs to be done.

52. OIOS commends the ongoing action by the Office for the Coordination of Humanitarian Affairs to put consistent preventive measures in place, as well as action taken by the NGOs, UNHCR and UNAMSIL to address the problem of sexual exploitation. Codes of conduct prohibiting exploitation are being put in place and action is being taken against staff members suspected of involvement in sexual exploitation. Sensitization training for staff and for refugees to resist and report exploitation when it occurs has commenced in all three countries.

53. OIOS has further noted efforts undertaken by the three representatives of UNHCR and the West African Regional Coordinator to build ongoing programmes to protect refugee women and girls from exploitation and to provide mechanisms for better reporting and resolution of cases that do occur. Indeed, new cases reported are receiving direct attention at the most senior levels. Plans are in hand to strengthen the protection work of UNHCR in the regions and to have a more visible presence in the camps. In Guinea, for example, action being taken by the country office includes the establishment of inter-agency task forces to address sexual exploitation. Measures are also being taken to review the camp environment with a view to curbing sexual exploitation and sexual and gender-based violence, especially as they relate to the equitable provision of food, shelter, sanitary facilities, education, security and protection. The complaints handling procedures are also being reviewed.

54. Similarly, in Liberia, the UNHCR office and its implementing partners have adopted a plan of action based on the UNHCR headquarters Framework of Action to tackle the issue of sexual exploitation, including the discouragement of relationships between aid workers and refugees through a staff rotation system, and training aid workers and refugees on sexual and gender-based violence and sexual exploitation. Refugees are also being encouraged to engage in agriculture to supplement their food rations. Action is being taken to improve other sectors of the camp environment that may result in sexual exploitation like shelter, education and food distribution.

UNHCR has further advised OIOS that in Sierra Leone the inter-agency Coordination Committee for the Prevention of Sexual Exploitation has formulated a humanitarian community action plan and standards of accountability to govern the conduct of all staff, community/agency reporting systems and training and empowerment initiatives have also been put in place. Within the overall humanitarian community's action plan, UNHCR Sierra Leone in collaboration with its implementing partners has formulated a plan of action to minimize the risks of exploitation in every sector of Liberian refugee and Sierra Leonean returnee operations. Building on existing sexual and gender-based violence programmes, initiatives have been undertaken in training, mass information, codes of conduct, protection reception days and increasing beneficiaries' access to UNHCR staff in camps and communities. UNHCR is trying to improve refugee shelter standards through various measures, such as increasing the size and providing separate adult and child quarters. Post-distribution monitoring has been put in place by food pipeline agencies and UNHCR. A proposed legal framework will include employment and other refugee rights.

OIOS urges UNHCR and its implementing partners to take the suggested measures to protect female refugees from sexual exploitation and to provide programmes wherein refugees can file complaints without fear of exposure or retaliation.

VI. Recommendations

55. OIOS makes the following recommendations:

Recommendation 1: The Inter-Agency Standing Committee (IASC), co-chaired by the Office for the Coordination of Humanitarian Affairs and UNICEF, must continue to play a prominent and essential role in working with all of the humanitarian organizations and agencies to ensure that appropriate and standard norms are included in their respective codes of conduct specifically prohibiting sexual exploitation and imposing sanctions for violations of the code. In this regard it is recommended that the Office for the Coordination of Humanitarian Affairs take the lead in coordinating and harmonizing the codes of conduct, not just for West Africa but also in all other regions. (Rec. No. IV01/454/01)*

UNICEF agrees with this recommendation and confirms that a Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises established by IASC is already implementing this and most of the other recommendations in this report. The need for clear ethical standards and improved mechanisms of accountability is one of the major priorities for the Task Force.

UNHCR also agrees with this recommendation and stated that its recently published code of conduct is in conformity with the recommendations agreed in the framework of the IASC Task Force. UNHCR will continue to support the follow-up to the Task Force's Plan of Action.

The Office for the Coordination of Humanitarian Affairs acknowledged the value of the recommendation and confirmed that a plan of action has already been prepared by the IASC Task Force to address these concerns, including the harmonization of codes of conduct for United Nations and non-United Nations personnel (annex I).

Recommendation 2: It is further recommended to the Inter-Agency Standing Committee that a report be provided to the General Assembly before the end of the fifty-seventh session on the measures put in place. (Rec. No. IV01/454/02)

Recommendation 3: Aid agencies, international organizations and NGOs should do more to address the issue of intimate relationships between their staff and the refugees they care for. In this regard it is recommended that the Inter-Agency Standing Committee coordinate with the relevant entities the appointment within each organization of focal points in the field so that staff members who propose to enter into relationships with refugees must disclose such relationships. (Rec. No. IV01/454/03)

UNHCR confirmed that its revised code of conduct specifically provides for the disclosure of relationships for appropriate guidance even if they are deemed consensual and not exploitative.

Recommendation 4: UNHCR should coordinate with other aid agencies and NGOs ways by which refugees can quickly report exploitation in confidence and with anonymity if desired. Although there have been improvements, OIOS has observed the ad hoc nature of the reporting systems and the need for early detection. In this regard, it is recommended that UNHCR appoint a person to set up an independent reporting system to reach into the refugee camps and communities. All reported cases should be brought to the attention of a designated focal point in UNHCR for effective monitoring. (Rec. No. IV01/454/04)

UNHCR commented that branch offices in Sierra Leone and Guinea have established centres in refugee camps to receive complaints. UNHCR protection staff have also established counselling centres in the camps. Furthermore, the UNHCR office of the Inspector General has established mechanisms for the confidential reporting of sexual exploitation by staff and non-staff.

Recommendation 5: UNHCR and its implementing partners should put in place clear procedures and guidelines for the investigation of sexual exploitation of refugees and other related conduct which include reporting all such instances to the UNHCR Inspector General for appropriate monitoring. The office of the Inspector General should conduct periodic spot-checking and undertake appropriate follow-up to ensure compliance. (Rec. No. IV01/454/05)

Recommendation 6: UNHCR and its implementing partners should sensitize the refugee population on sexual exploitation. In addition much more information should be provided on the nature and extent of refugee entitlements to the various forms of aid available. The

* The numbers in parentheses in this section refer to an internal code used by OIOS for recording recommendations.

programme implemented in Liberia could serve as a regional model. (Rec. No. IV01/454/06)

UNHCR informed OIOS that UNHCR staff and implementing partners have been sensitized on sexual exploitation. Additionally, awareness campaigns were conducted for female refugees and their leaders. Refugees have been made aware of their free entitlement to humanitarian assistance.

Recommendation 7: UNHCR in collaboration with its implementing partners should conduct a comprehensive review of the services provided to refugees, especially in the areas of food distribution, employment opportunities, security, health services and shelter. UNHCR needs to take measures to ensure that the distribution of food and non-food items by aid agencies is closely monitored to prevent future abuse and exploitation. The involvement of women in the distribution process needs to be significantly enhanced. (Rec. No. IV01/454/07)

UNHCR confirmed that it has undertaken a comprehensive review of all services in collaboration with its implementing partners. UNHCR staff are now required to be present at all distribution times and the involvement of women in the distribution of food and non-food items has been enhanced.

Recommendation 8: UNHCR should take steps to ensure that recruitment of refugees for jobs in the camps by aid agencies is equitably and transparently undertaken without any discrimination, particularly on the grounds of gender. (Rec. No. IV01/454/08)

UNHCR stated that it has recruited additional field staff including females. UNHCR further stated that its plan of action, which is being implemented and in some measure has already been implemented, addresses these areas (annex II).

Recommendation 9: WFP should urgently take steps to improve on the nature and quantity of food supplied to refugees in the region, paying attention to the dietary requirements of the refugees. It should also tighten its current procedures for excess food to prevent those with access to it from using this in exchange for sex. (Rec. No. IV01/454/09)

WFP noted that its food distribution policy is based on a consensus and extensive consultations with all humanitarian actors in the region — United Nations agencies, NGOs and donors. The quality and energy/protein/fat/micronutrient levels of the rations are in line with WHO, WFP and UNHCR guidelines resulting from the UNHCR/WFP/donors joint needs assessment missions.

Recommendation 10: UNHCR and the NGOs should have a more visible presence in the camps, increasing the number of field staff working inside the refugee camps so as to better monitor camp activities and to ensure that the refugees are indeed receiving the services to which they are entitled. (Rec. No. IV01/454/10)

UNHCR responded that it has increased its presence in the camps, including senior staff.

Recommendation 11: UNHCR, with its implementing partners for the provision of medical services in the camps, should take measures to staff the clinics with sufficient and qualified personnel and to have a comprehensive preventive and curative programme. Furthermore, the clinics need to be properly equipped. (Rec. No. IV01/454/11)

Recommendation 12: UNHCR, with its implementing partners responsible for shelter, should give adequate attention to the gender distribution, age and number of persons in households in allocating shelter to families. The practice of accommodating male and female adults with children in the same room may lead to abuse. (Rec. No. IV01/454/12)

Recommendation 13: UNHCR should review the current vehicle identification system with a view to clearly distinguishing UNHCR vehicles from the vehicles of its implementing partners. This would make it easier for victims of sexual exploitation to identify the agency for which a perpetrator works. (Rec. No. IV01/454/13)

Recommendation 14: UNHCR should ensure that NGOs in the camps keep proper records including photographs of staff they recruit on a casual or permanent basis to make it easier to identify any NGO staff involved in sexual exploitation or other wrongdoing. (Rec. No. IV01/454/14)

Recommendation 15: UNHCR, in collaboration with the host Governments, should take steps to improve the security in the camps by increasing the security personnel and providing modern security and communication equipment and transportation for patrols. (Rec. No. IV01/454/15)

UNHCR has taken measures on all of these issues (see annex II). *UNHCR, in collaboration with host Governments, is specifically undertaking a review of camp security, and police posts with 24-hour police presence are being established in the camps.*

Recommendation 16: The Department of Peacekeeping Operations should examine the gaps that exist in the procedures for reporting sex-related offences when peacekeepers are accused. The parties and agencies necessary to the proper resolution of cases involving sex offences need to be clearly identified. Key personnel should be in regular contact so that any new matter is raised and attended to forthwith. The office of the Provost Marshal should be notified of all such incidents to ensure that thorough investigations can be conducted and to track the cases for evidence of patterns of behaviour (Rec. No. IV01/454/16).

UNICEF suggested that the Department of Peacekeeping Operations should take affirmative steps to curb abuse by peacekeepers and to ensure that appropriate action is taken in proven cases of abuse or exploitation.

The Department of Peacekeeping Operations informed OIOS that the UNAMSIL Personnel Conduct Committee is to have a dedicated communications channel widely known to the local population to receive allegations against UNAMSIL civilian and military personnel (OIOS suggests that this mechanism should be extended to all peacekeeping missions).

Recommendation 17: The Department of Peacekeeping Operations should ensure that protocols for criminal investigations and liaison with local authorities are established for UNAMSIL civilian and military personnel who may be accused of a crime. (Rec. No. IV01/454/17)

The Department of Peacekeeping Operations advised OIOS that relations between a mission and the host authorities and respective rights and responsibilities are defined in the status-of-forces and status-of-mission agreements or under a memorandum of understanding with regard to relations between the United Nations and troop-contributing countries.

OIOS reinforces the view that such protocols should be carefully reviewed to ensure that adequate mechanisms are in place for the investigation of criminal conduct by UNAMSIL military personnel with a provision for referral to the jurisdiction of the troop-contributing country to deal with such cases. For civilian staff, they should be subject to the same legal requirements as all United Nations staff, including possible criminal prosecution as appropriate.

The Department of Peacekeeping Operations confirms that current procedures in peacekeeping missions require that all cases of misconduct by military personnel be brought to the attention of a Provost Marshal for investigation. Allegations of misconduct against civilian staff members are investigated and dealt with in accordance with United Nations rules and regulations.

To strengthen the awareness and accountability of all mission personnel in relation to exploitation and abuse, the Department of Peacekeeping Operations informed OIOS that it is currently reviewing its existing policies, procedures and guidelines on disciplinary issues. Updated guidelines have also been prepared on various aspects of standards of behaviour of mission personnel, including investigation procedures and follow-up with troop- and police-contributing countries.

(*Signed*) Dileep **Nair**
Under-Secretary-General for
Internal Oversight Services

Annex I

Report of the Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises

13 June 2002

A. Background

1. The grave allegations of widespread sexual exploitation and abuse of refugee and internally displaced women and children by humanitarian workers and peacekeepers in West Africa have highlighted the vulnerability of refugees, internally displaced persons and others, especially women and girls. Acknowledging the important challenge that this presents to the entire humanitarian community, in March 2002, the Inter-Agency Standing Committee (IASC) established a Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises. The Task Force was mandated, within the overall objective of strengthening and enhancing the protection and care of women and children in situations of humanitarian crisis and conflict, to make recommendations that specifically aim to eliminate sexual exploitation and abuse by humanitarian personnel and the misuse of humanitarian assistance for sexual purposes.

2. In setting up the Task Force, IASC recognized that the problem of sexual exploitation and abuse in humanitarian crises is not confined to West Africa but is a global problem. No country, society or community is spared. The foundations of sexual exploitation and abuse are embedded in unequal power relationships. It represents a complex problem requiring responses from a broad range of actors and a shift in the organizational culture and approach of humanitarian agencies.

3. This report reflects the deliberations and analysis of the members of the Task Force, as well as the opinions and experience of other actors in the United Nations system, NGOs, donors and Member States, gathered through a series of consultations. It is informed by the extensive work undertaken by humanitarian agencies in Guinea, Liberia and Sierra Leone, and draws on existing literature and guidelines, particularly in relation to gender-based violence.[a] The attached Plan of Action outlines a number of steps that the Task Force believes must be taken by the humanitarian community towards preventing sexual exploitation and abuse and responding to survivor needs. This plan is not a blueprint. It is part of an ongoing effort of the humanitarian community and will be refined on the basis of experience, pilot activities in selected countries and field visits to affected locations.

[a] In particular, the extensive guidelines developed by UNHCR and the Reproductive Health for Refugees Consortium. Gender-based violence is violence that is directed against a person on the basis of gender or sex. Gender-based violence includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion, or other deprivations of liberty. While women, men boys and girls can be victims of gender-based violence, because of their subordinate status, women and girls are the primary victims.

4. Once approved by IASC, the Plan of Action will apply to all IASC members and standing invitees.[b] However, it is hoped that the Plan of Action will also have broader application. It will be an important guide for monitoring and evaluating progress made in efforts to eliminate sexual exploitation and abuse. It is hoped that it will form the basis for further discussions within the humanitarian community, with host Governments, donors, peacekeepers and others engaged in working with and for populations affected by humanitarian crises, on the long-term measures and changes that need to be introduced to address the problem of sexual exploitation and abuse. It could also be used by donors for establishing requirements for eligibility for humanitarian funding or elements to be included in reporting on humanitarian activities.

B. The context

5. Conflict and displacement inevitably erode and weaken many of the social and political structures that are designed to protect members of the community. Displaced populations, particularly in the context of armed conflict, have usually fled from an environment of violence and will often encounter further violence during the course of their displacement. The resources available to affected populations, and to the humanitarian community that is there to assist them, are frequently insufficient to meet basic needs. All too often, mechanisms for protection are not given sufficient priority.

6. Sexual exploitation and abuse occur in many different environments. However, in humanitarian crises, the dependency of affected populations on humanitarian agencies for their basic needs creates a particular duty of care on the part of humanitarian workers and peacekeepers, when present. Managers have an additional responsibility to ensure that there are proper mechanisms for preventing and responding to sexual exploitation and abuse. Humanitarian agencies must make every effort to create an environment where sexual exploitation and abuse are not tolerated. This is especially necessary given the following features of humanitarian crises:

(a) The lack of economic opportunities for displaced populations may result in commercial and exploitative sex being one of the few options for income generation to meet basic needs;

(b) Beneficiary communities have often come from an environment of gender-based violence with which community structures collude. Unless proper safeguards are put in place, the same patterns can continue or even be exacerbated in a camp or settlement environment;

(c) The usual social protections are not in place or are no longer functioning. Levels of protection and security are generally poor; justice and policing frequently do not exist in the displaced environment.

7. The question who constitutes a humanitarian worker highlights another layer of complexity. The group is much more broadly defined than the internationally engaged staff of humanitarian aid organizations. Thousands of staff are engaged in a

[b] For the purpose of this report and plan of action, the term "agency" will be used to cover all IASC members and standing invitees that endorse this report.

variety of work: they range from volunteers, casual labourers, drivers and warehouse guards to decision makers at the country, regional and international levels. Many of these staff are drawn from beneficiary communities themselves. This can blur distinctions between what constitutes professional and private relationships with other members of the beneficiary community. However, by accepting work with humanitarian agencies, humanitarian workers also have to accept the special responsibility of humanitarian care that goes with the job.

C. Key definitions

8. There is general recognition of the existing problem of sexual exploitation and abuse in humanitarian crises. The problem is broader and harder to define than initially assumed and, by its nature, is difficult to investigate. Therefore, for the purposes of the plan of action, the Task Force has used the following definitions:

- "sexual abuse" is actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions;
- "sexual exploitation" is any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another;
- "humanitarian workers" include all workers engaged by humanitarian agencies, whether internationally or nationally recruited, or formally or informally retained from the beneficiary community, to conduct the activities of that agency.

D. Broader issues

9. The Task Force identified the following constraints which will affect implementation of its recommendations and which will require further analysis by the humanitarian community:

(a) Humanitarian standards of behaviour. There is, as yet, no common code of conduct governing the individual behaviour of humanitarian workers. The problem of sexual exploitation and abuse has highlighted the need for clear standards of behaviour for humanitarian workers. The Task Force has focused on the narrower question of behaviour in relation to sexual exploitation and abuse. However, its recommendations should ideally be situated within a broader framework of generic standards of humanitarian behaviour. These have not yet been explicitly identified and should be given proper consideration by the humanitarian community. This will raise additional questions as to who should be responsible for enforcing standards of behaviour, and whether that responsibility should be individual or collective and lie at the country, regional or international level. At present, such issues are dealt with on an ad hoc basis, from agency to agency, which limits the effectiveness of a common plan of action.

(b) Protection. There is no commonly agreed operational definition of protection or any consensus on what constitutes core competencies. There is a need for a more thorough analysis of what constitutes protection and what the acceptable minimum standards for protection are. The Task Force agreed that protection

requires a holistic definition that encompasses legal, social and physical protection, but more consideration must be given to what this implies for humanitarian action.

(c) Gender and power. Unequal power relationships provide the basis for sexual exploitation and abuse. Owing to their unequal status, women and girls are particularly at risk of sexual exploitation and abuse. However, it is important to recognize that boys are also vulnerable to sexual exploitation and abuse.

(d) Economic environment. The resource environment, particularly the lack of adequate food and services, contributes to the risk of sexual exploitation and abuse. Particular issues such as breaks in food pipelines are exacerbating factors that need to be addressed by the entire humanitarian community in a manner that reduces risk. Greater efforts must be made to provide displaced populations with alternative income generation opportunities, particularly for women.

(e) Responsibility and accountability. There are no common systems of accountability for the humanitarian community. At present, accountability for the behaviour of staff exists only within individual agencies and varies, in level, between agencies. Further consideration must be given to the adequacy of internal systems to maintain standards of behaviour. This should be complemented by more detailed discussion of the issue of collective responsibility, and at what level it should be considered. The Task Force's work revealed that avenues of recourse for beneficiaries are practically non-existent. Accountability to the beneficiary community should be strengthened and institutionalized. In a related vein, more attention must also be paid to how the responsibilities of the humanitarian community relate to those of host Governments.

E. Plan of Action: core central recommendations

10. The Plan of Action is divided into three sections: prevention, response and management and implementation issues. It addresses protection from sexual exploitation and abuse during humanitarian crises by seeking to prevent exploitative and abusive behaviour from being perpetrated and addressing the conditions that make women and children vulnerable to exploitation and abuse. The following recommendations are set out in the attached Plan of Action and constitute the essential actions that the Task Force would expect IASC to require of its members and standing invitees:

(a) Behaviour of staff. All humanitarian agencies must clearly define the principles and standards of behaviour that they expect of their staff. In relation to sexual exploitation and abuse, these core principles have been identified as:[c]

- Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.

[c] Different considerations will arise regarding the enforcement of some of these principles for humanitarian workers hired from the beneficiary community. While sexual exploitation and abuse and the misuse of humanitarian assistance will always be prohibited, discretion may need to be used in the application of the principles regarding sexual relationships for this category of humanitarian worker.

- Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence.

- Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited. This includes exchange of assistance that is due to beneficiaries.

- Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.

- Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.

- Humanitarian agencies are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

Further, these principles and standards should be incorporated into agency codes of conduct and staff rules and regulations. Mechanisms to ensure that these standards and principles are promoted, disseminated and integrated into personnel requirements, administrative standards and agreements with partners and contractors must also be established. In addition, mechanisms for reporting complaints, investigative procedures and disciplinary processes should be established. Clear definitions of management responsibility and accountability are vital.

(b) Protection from sexual exploitation and abuse will only be effective within a broader framework of effective protection from gender-based violence. Protection is a central and indispensable component of humanitarian action. It should not be compromised. Particularly in times of financial stringency, agencies must commit themselves to sustaining protection activities.

(c) The creation of an environment that is conducive to the prevention and elimination of sexual exploitation and abuse is essential. Such an environment will include, at a minimum, enhanced beneficiary participation in all aspects of humanitarian programming and camp governance, improved delivery mechanisms to reduce their potential for exploitation, and dissemination of information on beneficiary rights, entitlements, responsibilities and complaints procedures. Accountability to beneficiaries is a necessary step towards creating an environment that discourages sexual exploitation and abuse.

(d) The focus of the response by humanitarian agencies is to provide basic health and psychosocial care for survivors and ensure their access to mechanisms for recourse and redress. A key element in promoting accountability is to ensure that, wherever feasible, survivors have access to legal and judicial systems.

(e) Accountability needs to be addressed at the individual agency level and collectively. The sustainability and effectiveness of mechanisms to protect against sexual exploitation and abuse require an express commitment by management. Managers must be tasked with promoting a culture of protection in which

exploitation and abuse is not tolerated and reports of possible violations are treated seriously and confidentially. Coordination between agencies is also essential to ensure a common approach to protecting against sexual exploitation and abuse and to foster a concept of collective responsibility. In each country in humanitarian crisis, a properly representative team, including United Nations agencies and relevant national and international NGOs should be established to address this issue on behalf of the humanitarian community.

11. The Plan of Action seeks to ensure respect for, and fulfilment of, international human rights standards including those enshrined in the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. The Plan of Action recognizes that humanitarian crises have different impacts and create different needs for men, women, boys and girls. The Task Force believes that it is critical that a gender perspective is adopted in all elements of design, planning and implementation of humanitarian activities. In the context of preventing sexual exploitation and abuse, this ranges from ensuring the presence of more women staff to addressing gender inequalities in access to economic opportunities by beneficiaries and participation in decision-making processes.

F. Implementation

12. There are some issues where there is not yet clear agreement on how to move forward. In these circumstances, the Task Force recommends running pilot schemes and trials of some options in order to assess their practicability and feasibility. The Task Force emphasizes the need to be realistic about what can be managed, and has made every effort to ensure that its recommendations are practical and enforceable, especially in the area of codes of conduct.

13. The Task Force recognizes that there needs to be collaboration between agencies on dissemination of information, in order to avoid fragmentation. The Task Force proposes that a common information and dissemination strategy be developed at the country level, with agreed target audiences. In addition, all agencies should agree to conduct internal information campaigns. A communications strategy has already been developed for external audiences. More needs to done internally and with respect to mass information for beneficiary communities.

14. Training at all levels of humanitarian agencies was identified as an important element. However, there is again a risk of fragmentation unless efforts are coordinated. The consultations identified areas where no training or guidance exists, such as camp management; others where there is a need to promote consistency; and others where there is an abundance of training and guidelines but problems remain with regard to ensuring their implementation. Effective implementation of the Plan of Action requires that these problems be addressed.

15. The Task Force has a further mandate for monitoring and evaluating the implementation of its recommendations and perhaps, where necessary, further refining them. It therefore recommends the extension of its mandate to the next plenary meeting of IASC in 2003, so that it can fully report on its activities in this regard.

16. The Task Force recognizes the extensive work that has already been undertaken in West Africa. In particular, this has demonstrated the commitment in the field to addressing the problem of sexual exploitation and abuse effectively and responsibly. The Task Force is confident that the requisite good will to implement its recommendations exists in other parts of the world, as it does in West Africa. Enforcement will also rely on the responsibility of managers and humanitarian workers in the field. In acknowledging the commitment of humanitarian workers to addressing the problem, the Task Force also recognizes the constraints under which they operate. Agencies need to consider the proportion of their budgets that goes to protection and activities to prevent sexual exploitation and abuse and allocate more resources to these issues.

17. The Task Force also recognizes that responsibility for full implementation of the Plan of Action may rely on parties that are outside the IASC structure, such as peacekeepers and host Governments. It also calls on donors to promote some of the core recommendations with the humanitarian organizations that they choose to fund.

G. Conclusion

18. The humanitarian community has now acknowledged that the issue of sexual exploitation and abuse is a global challenge. This represents an important step forward. From consultations, it is clear that there is a genuine recognition on the part of agencies that sexual exploitation and abuse represent a betrayal of trust as well as a catastrophic failure of protection. There is a real commitment on the part of agencies to address this problem and take responsibility for implementing necessary management changes.

19. In preparing this report and Plan of Action, the members of the Task Force have often expressed different views and perspectives on some issues but their commitment to working together within the framework of the Task Force has been impressive. All members have learned from each other. Perhaps the most important lesson has been that humanitarian agencies must be more accessible and better able to listen and make themselves accountable to those they wish to assist. Without the development of real and effective frameworks for accountability, little progress can be made in this area.

20. The Task Force acknowledges the way in which IASC has responded to this issue. Its support has been exemplary. It has accepted a policy statement with serious implications in terms of staffing and management responsibilities and their relationship with beneficiaries. It hopes that IASC will demonstrate the same spirit on receiving this report and Plan of Action and that it will provide the leadership required to ensure its effective implementation.

Plan of Action

I. Prevention

Goal: to create an environment free of sexual exploitation and abuse in humanitarian crises, by integrating the prevention of and response to sexual exploitation and abuse into the protection and assistance functions of all humanitarian workers.

A. Core principles of a code of conduct

Humanitarian agencies have a duty of care to beneficiaries and a responsibility to ensure that beneficiaries are treated with dignity and respect and that certain minimum standards of behaviour are observed. In order to prevent sexual exploitation and abuse, the following core principles must be incorporated into agency codes of conduct:[d]

- Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
- Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence.
- Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due to beneficiaries.
- Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.
- Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
- Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

[d] Different considerations will arise regarding the enforcement of some of these principles for humanitarian workers hired from the beneficiary community. While sexual exploitation and abuse and the misuse of humanitarian assistance will always be prohibited, discretion may be used in the application of the principles regarding sexual relationships for this category of humanitarian worker.

Objective: to adopt and incorporate into codes of conduct specific responsibilities of humanitarian aid workers to prevent and respond appropriately to sexual exploitation and abuse and to adopt appropriate disciplinary procedures for dealing with violations when they occur.

Action	*Agency responsible*	*Date*
1. Adopt codes of conduct that include, as a minimum, the core principles identified by the IASC Task Force, or incorporate them into existing codes of conduct.	All agencies	By end 2002
2. Incorporate adherence to a code of conduct into new and existing employment contracts, job descriptions, terms of reference and performance appraisal systems.[c]	All agencies	By July 2003
3. Develop and implement a strategy for the dissemination of and training activities on the code of conduct for all current and future staff, including local and international staff, at all levels.	All agencies	By end 2002
4. Incorporate the core principles into all agreements with implementing partners.	All agencies	2003
5. Encourage donor Governments to include the core principles in their agreements with implementing partners.	IASC Task Force	By end 2002
6. Develop and incorporate into staff rules and regulations appropriate disciplinary procedures for dealing with violations of the core principles when they occur.	All agencies, with support of IASC Task Force	By end 2002
7. Investigate the feasibility of developing a database, to be shared among humanitarian agencies, of persons whose contracts have been terminated because of violations of the core principles.[c]	IASC Task Force	By October 2002

B. Situation analysis/assessment of needs

Objective: to ensure that agency situation analyses and needs assessments identify vulnerabilities to sexual exploitation and abuse and provide a basis for improved programme planning that minimizes risks and opportunities for sexual exploitation and abuse.

Action	*Agency responsible*	*Date*
1. Conduct an inter-agency review of assessment processes and guidelines, with a view to incorporating processes for assessing vulnerability to sexual exploitation and abuse. All agencies should agree to common standards of assessment of vulnerabilities and capacities.	IASC Working Group	By end 2002

[c] Awaiting legal advice on this point.

Action	*Agency responsible*	*Date*
2. Through an inter-agency process, complete the revision of, and distribute, sexual and gender-based guidelines that will provide guidance on specific issues dealing with sexual exploitation and abuse.	UNHCR	By end 2002
3. Report on the extent to which underfunding of humanitarian programmes leads to increased vulnerability of beneficiaries to sexual exploitation and abuse.	All agencies	By end 2002 and regularly thereafter

C. Camp governance and delivery processes

Objective: to ensure that camp governance is conducted in an equitable manner that empowers women and children, and reduces the risk of sexual exploitation and abuse, and to ensure that distribution processes, including the quantity of assistance and distribution methods, are designed and implemented in a manner that reduces opportunity for sexual exploitation and abuse.

Action	*Agency responsible*	*Date*
1. Define benchmarks to determine the adequacy of staff directly responsible for protection, in terms of number, profile and sex.	All agencies	By end 2002
2. In three pilot countries, assess the extent to which the deployment of specialized staff (protection, gender and children advisers etc.) and the existence of specialized programmes for gender-based violence contribute to ensuring/strengthening activities to prevent and respond to sexual exploitation and abuse.	IASC Task Force	July 2003
3. Promote the economic and social empowerment of women, thus reducing their vulnerability to abuse, through working towards equal representation of women and men among beneficiary staff, and institute measures to ensure that women participate in decision-making structures equally with men.	All agencies	Ongoing
4. Promote the empowerment of girls, through incentives to encourage greater attendance of girls at schools.	Site coordinating agency	Ongoing
5. Issue ration cards in the name of a woman in each household.	Site coordinating agency	Ongoing
6. Review the chain of distribution and prioritize direct distribution of food and non-food items to beneficiaries, especially to women, to minimize risks of exploitation.	Site coordinating agency	By end 2002

Action	*Agency responsible*	*Date*
7. Increase the proportion of female staff involved in the distribution of food and non-food items.	Site coordinating agency	Ongoing
8. Coordinate timing of distribution among agencies to eliminate the need for proxies that can make women and children more vulnerable to sexual exploitation.	Site coordinating agency	Ongoing
9. Improve mechanisms for ensuring stable continuity of supply, particularly in high-risk areas, and discuss flexible arrangements with donors.	All agencies	Ongoing
10. In four pilot countries, conduct reviews of distribution, post-distribution, end-use and commodity baskets to establish the relationship between the level and nature of humanitarian assistance and vulnerability to sexual exploitation and abuse. The reviews will assess: appropriateness of the package; timeliness of provision; volume; distribution procedures; gender balance and beneficiary involvement in distribution committees; and gender balance among staff.	IASC Task Force	By end 2002

D. Mechanisms for accountability to beneficiaries

Objective: to develop mechanisms to ensure that agencies providing humanitarian relief are accountable to the communities they serve, with respect to both prevention efforts and response mechanisms.

Action	*Agency responsible*	*Date*
1. Take appropriate measures to ensure that beneficiaries are informed of the rationale for assistance eligibility criteria, individual entitlements, and distribution venues and schedules. When any of the above change, beneficiaries should be notified as soon as possible.	All agencies	By end 2002
2. Ensure adequate opportunities to educate populations at risk about sexual exploitation and abuse by providing information about rights, entitlements, responsibilities and procedures for complaints and survivor assistance, for example, through participatory workshops with the beneficiary community to raise awareness about gender-based violence and sexual exploitation and abuse, as well as relevant human rights instruments.	Site coordinating agency	Ongoing

Action	*Agency responsible*	*Date*
3. Compile and disseminate a list of relevant guidelines and resource materials relating to protection issues (including gender-based violence, gender and children's issues) as a basis for understanding areas of responsibility and accountability.	UNHCR to compile list/ produce CD-ROM. All agencies to disseminate	By end 2002

II. Response

Goal: to provide basic health and psychosocial care to survivors of sexual exploitation and abuse and ensure they have access to appropriate avenues for recourse and redress.

A. Avenues for recourse

Objective: to develop mechanisms that allow survivors of sexual exploitation and abuse to report incidents of sexual exploitation and abuse; access legal, judicial or community-based recourse systems; and seek redress, including disciplinary action against perpetrators.

Action	*Agency responsible*	*Date*
1. Distribute revised guidelines (see I.B.2) for gender and age-sensitive investigative protocols and complaints mechanism.	IASC Task Force	September 2002
2. Establish confidential systems for both directly and indirectly receiving reports about possible sexual exploitation and abuse and ensuring their follow-up, with the agreement of the survivor.	Inter-agency country team[f]/ Humanitarian Coordinator	By end 2002
3. Develop a process for determining appropriate redress for individual survivors, based on consultations with the community and local authorities, and support survivors in seeking such redress, in a manner that respects the due process rights of the accused as well as the rights of the survivor.	Inter-agency country team/ Humanitarian Coordinator	By end 2002
4. Develop a mechanism for monitoring survivors to ensure that they do not face any repercussions as a result of having lodged a complaint.	Inter-agency country team/ Humanitarian Coordinator	By end 2002

[f] The team would include United Nations agencies and relevant national and international NGOs and should be linked to existing aid coordination structures. The team will be responsible for setting a culturally sensitive policy for the country on the issue of protection against sexual abuse and exploitation. It will also allocate responsibility between its members for the necessary activities, based on the particular coverage, mandates, skills and resources available in that country (e.g. some functions will require universal coverage based on specific skills available at agency level, such as for interviewing children).

B. Provision of basic services to meet immediate survivor needs

An appropriate integrated response for survivors of sexual exploitation and abuse includes: psychosocial support for survivors; comprehensive health care including reproductive health care; access to timely legal redress; and community-driven safety and security measures.

Objective: to provide survivors of sexual exploitation with appropriate support.

Action	*Agency responsible*	*Date*
1. Ensure that in every camp/settlement at least one health-care practitioner is trained on the physical and mental health ramifications of gender-based violence, including reproductive health care, and appropriate protocols for treatment and data collection.	Coordinating agency for health	Ongoing
2. Ensure that survivors of sexual exploitation and abuse have access to appropriate reproductive health services.	Site coordinating agency	Ongoing
3. Review the availability of counselling and case management services and, on the basis of that review, establish targets to increase available counselling and case management services, especially in areas identified as high risk for sexual exploitation and abuse.	Coordinating agency for health	Ongoing
4. Integrate concepts of protection from sexual exploitation and abuse into community service delivery programmes.	Coordinating agency for community services	Ongoing

III. Management and implementation issues

A. Management and coordination responsibility

Objective: to develop mechanisms to ensure accountability of humanitarian agencies to Governments and donors in the implementation of actions to prevent sexual exploitation and abuse.

Action	*Agency responsible*	*Date*
1. Revise job descriptions, employment contracts and performance appraisal systems etc. for managers to ensure adequate attention to the responsibility to prevent and respond to sexual exploitation and abuse.	All agencies	By July 2003

Action	*Agency responsible*	*Date*
2. Increase the accountability and capacity of senior management to ensure protection against sexual exploitation and abuse, through training and monitoring. Priority should be given to heads of office and staff directly involved in protection activities.	All agencies	By end 2002
3. Integrate protection against gender-based violence into the work and terms of reference of existing coordination and management mechanisms, such as the consolidated appeals process, humanitarian coordinator system, IASC mechanisms etc.	IASC Task Force	Early 2003
4. Engage more substantially with host Governments and appropriate ministries in order to improve protection in camp management and strengthen mechanisms for legal redress.	All agencies	Ongoing
5. Engage more substantially with the Department of Peacekeeping Operations to ensure coherence and complementarity of approach to addressing sexual exploitation and abuse in humanitarian crises.	IASC Task Force	Ongoing
6. Coordinate the regular and confidential sharing, by all agencies mandated with protection or the provision of relief items and services, of a summary and analysis of their monitoring findings regarding sexual exploitation and abuse.	Inter-agency country team	On a bimonthly basis beginning November 2002
7. Develop a plan for implementing the recommendations and action points agreed to through the IASC process for preventing sexual exploitation and abuse.	Each head of agency	By September 2002

B. Monitoring and supervision

Goal: to ensure regular monitoring and supervision of the provision of protection and assistance in humanitarian operations, with awareness of risks and opportunities for sexual exploitation and abuse.

Objective: to ensure monitoring and supervision of programming for protection from sexual exploitation and abuse and to support staff at a field level to implement the Plan of Action.

Action	*Agency responsible*	*Date*
1. Compile and share all available checklists and tools in relation to prevention and response to sexual exploitation and abuse.	UNHCR	By end 2002
2. Ensure supervisory staff visit sites of affected populations and report on progress made to reduce sexual exploitation and abuse.	All agencies: heads of country offices	Ongoing

Action	*Agency responsible*	*Date*
3. Within the existing humanitarian coordination structure, nominate a team at country level, to monitor and supervise activities to prevent and respond to sexual exploitation and abuse.	Humanitarian/ Resident Coordinator	Following pilot
4. Engage in two to four field visits to targeted countries to provide technical assistance and support for implementation of the Plan of Action.	IASC Task Force	July 2003

Annex II

Highlights of some actions taken by UNHCR to prevent the exploitation of refugees

Below is a non-exhaustive summary of actions taken by UNHCR headquarters, regional bureaux, field offices and managers to prevent the occurrence of sexual exploitation by humanitarian workers.

After an intense consultative process, UNHCR has finalized and disseminated the UNHCR Code of Conduct. The Code is to guide UNHCR staff in their work and to inspire staff to live up to the high ideals of the United Nations. It explains the standards of conduct that all are expected to adhere to under the Charter and the Staff Regulations and Rules.

Newly drafted clauses addressing the conduct required of partners will be included in the governing clauses of all UNHCR implementing agreements. These incorporate by reference the UNHCR Code of Conduct. They are being "tested" with selected partners before formal introduction later this year.

A senior staff member at headquarters, reporting directly to the Assistant High Commissioner, will coordinate consistent and resource-effective follow-up to all pending evaluation recommendations.

UNHCR has very actively participated in and contributed to the development of the IASC Plan of Action, which all humanitarian agencies have endorsed. This plan is an important tool for future, concrete actions to prevent sexual abuse in humanitarian situations and will be followed by all offices. Additionally, together with its partners, UNHCR has developed, operationalized and received funding for a comprehensive plan to address some of the root causes leading to exploitative situations in West Africa.

All regional bureau directors have sent written and specific instructions to all field offices under their supervision, to establish or reinforce measures to prevent the sexual exploitation of refugees.

All regional bureaux have designated focal points that are actively following the actions taken and reported by the field offices.

Bureaux have distributed a checklist of vulnerable processes that should be reviewed to avoid abusive situations. Offices have strengthened vulnerable areas and procedures, such as those followed in refugee status determination, the provision of information about available assistance and entitlements and the handling of individual case files. They have been requested to report on the procedures put in place in their regular situation reports.

Two bureaux have undertaken internal investigations into "high risk" environments where there would have been potential for exploitation. No incidents were substantiated.

Offices have included provisions for activities contributing to the prevention of sexual exploitation in their 2003 Country Operation Plans, including the creation of several new posts of regional gender advisers, and have prioritized the retention of protection staff even while undergoing downsizing exercises.

To the extent possible, female staff have been designated as focal points for receiving asylum-seekers.

Counselling services to refugees and asylum-seekers have been increased, including, in some offices, opportunities for refugees to have access to telephone counselling.

Many offices have set up complaint mechanisms and have improved the access by refugees to international staff members. Procedures have been established to channel complaints and to permit a response by UNHCR and partner staff and redress claims. Offices are to maintain a written record of complaints received and actions taken.

Field offices have been instructed to meet regularly with their respective implementing partners and brief them on the current concerns and the commitment of UNHCR to maintaining the highest level of standards to meet the protection and basic needs of refugees and asylum-seekers.

Field offices have held meetings with their partners in a number of forums, for the purpose, inter alia, of formulating and promoting standards for the advancement of UNHCR policy priorities, and to monitor performance by UNHCR and its partners.

Some field offices have established committees — consisting of gender, children, protection and NGO staff — to handle emergencies among asylum-seekers and refugees, which have formulated guidelines on the handling of specific situations such as domestic violence, sexual violence etc.

The UNHCR monitoring mechanisms were reviewed and, in general, more frequent camp visits have been ensured. In addition to more frequent protection monitoring in the refugee camps, offices have been encouraged to ensure that the refugee community continues to play a key role in the camp management. This appears to be facilitating "law and order" in some camps.

Notices have been posted in refugee areas to provide clear information to refugees about their rights and responsibilities and what they can reasonably expect in terms of protection and assistance.

Offices are continuing to prioritize the identification, registration and reunification with their families of separated children or to provide fostering arrangements.

UNHCR is continuing to fund national women's NGOs which are providing social, economic and community support to refugee returnee women, particularly those identified as being most in need.

Newly revised Guidelines on Prevention and Response to Sexual Violence against Refugees have been field tested in more than 20 countries and are being finalized for global implementation.

Many field offices have already organized appropriate and often customized training sessions for their staff or their partners' staff. Training sessions have been held with guards, receptionists, and local police working at UNHCR offices who come into contact with asylum-seekers on appropriate behaviour, UNHCR policy etc.

The effect of having designated staff at all levels to handle the issue has been fruitful in a number of important respects, including:

- The systematic involvement of refugees and returnees in initiatives relating to sexual and gender-based violence.
- The development of mass information campaigns to sensitize the refugees on their rights and responsibilities, and the zero tolerance policy of the High Commissioner.
- Enhanced partnership building efforts.
- Systematic elaboration of actions to address sexual and gender-based violence.
- The identification of serious gaps in the assistance UNHCR is able to provide and examination of how root causes may be addressed.
- Increased awareness about the problems of and related to sexual and gender-based violence on the part of staff, refugees and national partners.
- The need to improve national legal protection for refugee and returnee women has been highlighted and brought to the attention of national authorities.